

Washington, D. C. All our thermometers are manufactured in accord with their specifications. (C. S. 1-52 Department of Commerce)."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the article fell below that which it purported and was represented to possess since it failed to comply with the requirement for accuracy of reading specified in CS1-52.

DISPOSITION: June 19, 1953. Default decree of destruction.

4116. Adulteration and misbranding of clinical thermometers. U. S. v. 67 Dozen * * * (and 1 other seizure action). (F. D. C. Nos. 34889, 34890. Sample Nos. 39762-L, 73131-L.)

LIBELS FILED: March 13 and 20, 1953, Eastern District of Pennsylvania and Southern District of California.

ALLEGED SHIPMENT: On or about November 21, 1952, and January 9 and 16, 1953, by the Hygrade Thermometer Co., from Brooklyn, N. Y.

PRODUCT: 67 dozen *rectal thermometers* at Philadelphia, Pa., and 6 dozen *oral thermometers* at Los Angeles, Calif.

Examination disclosed that 7 rectal thermometers of 24 tested and 4 oral thermometers of 23 tested failed to comply with the specifications established in the National Bureau of Standards' Commercial Specifications 1-52 applicable to such thermometers. 6 rectal thermometers failed to comply with the requirement for accuracy, and 1 rectal thermometer failed to comply with the entrapped gas test. The defects of the oral thermometers were as follows: 1 thermometer failed to comply with the standard for accuracy; 2 thermometers failed to comply with the test for retreating index; and 1 thermometer failed to comply with the test for ease of shaking down the mercury column (hard shaker).

LABEL, IN PART: "One Fever Thermometer Kind—Rectal" and "Hygrade Oral."

NATURE OF CHARGE: Adulteration, Section 501 (c), the quality of the articles fell below that which they purported and were represented to possess since they failed to comply with the specifications established in the National Bureau of Standards' Commercial Specifications 1-52.

Misbranding, Section 502 (b) (1), the articles failed to bear labels containing the name and place of business of the manufacturer, packer, or distributor.

DISPOSITION: April 24 and May 5, 1953. Default decrees of condemnation and destruction.

DRUGS AND DEVICES ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS*

4117. Misbranding of okra tablets. U. S. v. 24 Bottles, etc. (F. D. C. No. 34875. Sample No. 57534-L.)

LIBEL FILED: March 3, 1953, District of Columbia.

ALLEGED SHIPMENT: On or about February 13, 1953, by the Daland Vitamin Co., from Wilmington, Del.

PRODUCT: 24 25-tablet bottles and 11 100-tablet bottles of *okra tablets* at Washington, D. C.

*See also Nos. 4112-4114.

LABEL, IN PART: (Bottle) "Daland's Okra Tablets Dehydrated Concentrate of Natural Okra, finely ground. Mild Vanilla Flavor * * * Directions: * * * In minor peptic irritations, minor peptic ulcerations of stomach or intestines, the number of tablets can be regulated per meal according to size of meal and as relief from food roughage irritation dictates. Okra is a vegetable, and a natural source of food minerals and chlorophyl. It adds smoothage to food bulk, thereby forming a softer consistency on the walls of stomach and intestines, lessening irritations of food roughage especially on peptic irritations. Okra is soothingly and mildly alkaline."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements on the label of the article were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for stomach and intestinal ulcers and irritation, whereas the article was not an adequate and effective treatment for such conditions.

DISPOSITION: April 30, 1953. Default decree of condemnation and destruction.

4118. Misbranding of radioactive mineral. U. S. v. 79 Bags, etc. (F. D. C. No. 34667. Sample No. 41040-L.)

LABEL FILED: February 18, 1953, Eastern District of Washington.

ALLEGED SHIPMENT: On or about October 25, 1952, by Radon Supply, from Boulder, Mont.

PRODUCT: 29 5-pound unlabeled bags and 50 5-pound labeled bags of *radioactive mineral* at Spokane, Wash., together with a number of leaflets entitled "Now! You May Test the Healing Effects of the Gamma Rays of Uranium Ore In Your Own Home."

Examination showed that the bags contained a gray-colored coarsely powdered ore which emitted a very weak radioactivity, principally gamma rays. The amount of gamma rays emitted was much less than that emitted by the luminous dial of an ordinary wrist watch.

LABEL, IN PART: (Bag) "Radioactive Mineral from Boulder Uranium Area Famous Health Mines Radon Supply."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned leaflet were false and misleading. The statements represented and suggested that the article was an adequate and effective treatment for various forms of arthritis, rheumatism, muscular ailments, calcium stiffened joints, hay fever, sinus trouble, eczema, unusual disease or disorder, etc., and that the article would restore and rejuvenate cells and glands. The article would not be an effective treatment for those conditions.

DISPOSITION: May 16, 1953. Default decree of condemnation and destruction.

4119. Misbranding of radioactive ore device. U. S. v. 3 Metal Cabinet Treating Units, etc. (F. D. C. No. 34616. Sample No. 40629-L.)

LABEL FILED: February 10, 1953, Western District of Washington.

ALLEGED SHIPMENT: On or about November 1, 1952, by the C. & J. Rental Service, from Great Falls, Mont.

PRODUCT: 3 metal cabinet treating units known as *radioactive ore devices*, 1 knocked down 3-shelf metal stand, and 1 Geiger counter at Seattle, Wash., together with 2 reprints of one of the pages of the July 13, 1952, issue of a Montana newspaper and a number of testimonial letters relating to the device.

Examination indicated that the treating unit contained an ore, emitting